

Serial No.: 08/949,637
Group Art Unit No.: 1632

invention as was previously done. Applicant thanks the Examiner for the time he took to discuss the case and consider claims framed as set forth below. No final agreement was reached with the Examiner in these discussions.

In the Specification:

Please amend the specification as set forth in the Amendment dated November 3, 1998 (recorded as filed on November 6, 1998).

In the Claims:

Please amend the claims as follows:

Please cancel claims 1-5, 7-11 and 25-48 without prejudice or disclaimer, and substitute therefor new claims 49-59.

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Sub E1
D1
-- 49. An isolated nucleic acid comprising either a polynucleotide or the complement of the entire length of said polynucleotide, wherein the polynucleotide encodes a ACP reductase of *staphylococcus aureus* which either consists of the amino acid sequence set forth in SEQ ID NO:2 or is the topoisomerase I of *staphylococcus aureus* WCUH29 deposited as NCIMB No. 40771, or encodes a polypeptide differing from said FAB I by substitution, insertion or deletion of a single amino acid.

-- 50. The isolated nucleic acid of claim 49, wherein the ACP reductase consists of the amino acid sequence set forth as SEQ ID NO:2.

-- 51. The isolated nucleic acid of claim 49, wherein the polynucleotide encodes the amino acid sequence set forth as SEQ ID NO:2.

Sub E2
-- 52. The isolated nucleic acid of claim 49, wherein the ACP reductase is the FAB I of *staphylococcus aureus* WCUH29 deposited as NCIMB No. 40771.